

## Message Text

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PAGE 01     SEOUL 10175 270801Z  
ACTION SCSE-00

INFO OCT-01 EA-09 ISO-00 JUSE-00 L-03 SSO-00 /013 W  
-----270803Z 128203 /17  
O 270724Z DEC 76  
FM AMEMBASSY SEOUL  
TO SECSTATE WASHDC IMMEDIATE 1218

UNCLAS SEOUL 10175

E.O. 11652: N/A  
TAGS: CGEN (YOUNG SOOL SHIN)  
SUBJECT: JUDICIAL ASSISTANCE

REF: STATE 310254

1. PUBLIC PROSECUTOR SUK, CHIN KANG ON DEC. 27, GAVE EMBASSY A COPY OF HIS REPLY TO EMBASSY'S QUESTIONS REGARDING SHIN, YOUNG SOOL. WHILE FORMAT IS NOT SAME AS THAT REQUESTED IN DEPTTEL 1708, IT DOES APPEAR TO COVER MAJOR ITEMS. WOULD APPRECIATE REVIEW OF THIS REPLY AND THEN EMBASSY WILL REQUEST FURTHER INFORMATION AS DIRECTED.

2. NOTE THIS REPLY WHICH IS EMBASSY'S UNOFFICIAL TRANSLATION SENT TO MOFA DEC 20 BUT APPARENTLY HAS NOT REACHED PROPER OFFICE. EMBASSY HAS REQUESTED PROSECUTORS OFFICE HAND CARRY COPY TO MOFA. EMBASSY WILL TRANSMIT AS SOON AS OFFICIAL REPLY RECEIVED FROM MOFA.

QUOTE: OFFICE OF THE PUBLIC PROSECUTOR-GENERAL, DECEMBER 20, 1976, FILE NO. 821, TO: MINISTER, MINISTRY OF FOREIGN AFFAIRS, ATTN: DIRECTOR, AMERICAN AFFAIRS BUREAU, MINISTRY OF FOREIGN AFFAIRS, SUBJECT: JUDICIAL ASSISTANCE CONCERNING YOUNG SOOL SHIN, REF: MI IL 700-35459, THIS IS IN RESPONSE TO AN INQUIRY FROM THE U.S. DEPT. OF STATE CONCERNING THE BANK RECORDS OF SHIN, YOUNG SOOL. THE FOREIGN MINISTRY IS REQUESTED TO TRANSMIT THIS REPLY TO THE DEPT. OF STATE.  
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(1) SHIN, YOUNG SOOL WAS ACCUSED ON JULY 1, 1975, OF VIOLATION OF THE FOREIGN CURRENCY CONTROL LAW. THE SUBJECT WAS SENTENCED BY THE SEOUL CRIMINAL DISTRICT COURT ON SEPT. 27, 1976, TO 3 YEARS IMPRISONMENT. THE SENTENCE WAS SUSPENDED AND SHIN WAS GRANTED 5 YEARS PROBATION FROM THE DATE OF SENTENCING. ALSO,

SHIN WAS FINED

WON 131,768,021, EQUIVALENT TO US \$263,536.

HOWEVER, THE CASE IS PRESENTLY PENDING AN APPEAL HEARING WITH THE APPELLATE COURT SINCE SHIN AND THE PROSECUTOR APPEALED THE ABOVE SENTENCE. THEREFORE, THE TRIAL OF THE ABOVE CASE SHALL BE CONTINUED.

(2) THE INFORMATION REQUESTED BY THE KOREAN COURT IS NECESSARY FOR THE ABOVE TRIAL AND IS NOT NECESSARY FOR ANY OTHER CASE PENDING WITH THE COURT.

(3) IN REGARDS TO ISSUANCE OF A SUBPOENA, IT IS DIFFICULT TO DISPATCH A KOREAN ATTORNEY TO SAN FRANCISCO IN ORDER TO TESTIFY TO THE COURT IN THE UNITED STATES. THEREFORE, IT WOULD BE APPRECIATED, IF YOU WOULD PLEASE HAVE THE NORTH DISTRICT PROSECUTOR'S OFFICE IN THE STATE OF CALIFORNIA MAKE EVERY EFFORT, TO SECURE THE ISSUANCE OF A SUBPOENA.

PARA. ACCORDING TO THE KOREAN LAW, SEARCH AND CONFISCATION OF BANK RECORDS OR REQUESTS FOR A STATEMENT CONFIRMING CHECK TRANSACTIONS WITH THE BANK, ARE SIMPLE AND ARE ENFORCED WITHOUT DIFFICULTY.

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